

Message

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**From:** Shoven, Heather [shoven.heather@epa.gov]  
**Sent:** 1/29/2015 1:58:11 PM  
**To:** Johnson, KarenD [Johnson.KarenD@epa.gov]  
**Subject:** RE: Request for R3 Concurrence -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Hi Karen,  
Thanks for the update. That's great that you touched base with him.  
Will keep you posted.  
Heather

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**From:** Johnson, KarenD  
**Sent:** Thursday, January 29, 2015 7:56 AM  
**To:** Shoven, Heather  
**Subject:** RE: Request for R3 Concurrence -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Thanks I just got off the phone with Andrew Hartten at DuPont, he's also looking for a contact at 3M for me.. We discussed the new HA, he let me know about the corporation spin off...I let him know we'd heard through Rob Bilott. He is going to the new company and fully expects that if the number gets changed we'll be contacting him.

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**From:** Shoven, Heather  
**Sent:** Thursday, January 29, 2015 8:40 AM  
**To:** Johnson, KarenD  
**Subject:** RE: Request for R3 Concurrence -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Hi Karen,  
I do not have a contact at 3M but let me check with Kim Harris to see if she has one. I'll get back to you once I touch base with her. I appreciate all of your efforts!  
Best wishes,  
Heather

Heather A. Shoven  
Compliance and Enforcement Team Leader  
Ground Water and Drinking Water Branch  
U.S. Environmental Protection Agency, Region 5  
77 W. Jackson Blvd (WG-15J), Chicago, IL 60604  
Phone: (312) 886-0153 / Email: [shoven.heather@epa.gov](mailto:shoven.heather@epa.gov)

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**From:** Johnson, KarenD  
**Sent:** Thursday, January 29, 2015 7:37 AM  
**To:** Shoven, Heather  
**Subject:** RE: Request for R3 Concurrence -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Thanks so much for all your crazy coordination on this!  
Do you folks have a contact at 3M for PFOS issues? We're trying to see if there is any research about PFC's "Sticking" to PVC plumbing and a residual after eliminating the source of the PFOS from the water?? UGH!

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**From:** Shoven, Heather  
**Sent:** Thursday, January 29, 2015 8:23 AM  
**To:** Johnson, KarenD  
**Subject:** RE: Request for R3 Concurrence -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Thanks Karen!

Best wishes,  
Heather

Heather A. Shoven  
Compliance and Enforcement Team Leader  
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**From:** Johnson, KarenD  
**Sent:** Thursday, January 29, 2015 5:53 AM  
**To:** Shoven, Heather  
**Subject:** RE: Request for R3 Concurrence -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Hi Heather- Got your call, sorry I'd left for the day, but the letter looks great and looks like Jon is good with it too!

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**From:** Shoven, Heather  
**Sent:** Wednesday, January 28, 2015 4:44 PM  
**To:** Johnson, KarenD; Capacasa, Jon  
**Cc:** Klassman, Debra; Kier, Lori; Damato, Nicholas; Poy, Thomas  
**Subject:** Request for R3 Concurrence -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Hi Jon and Karen,

Lori and Deb had an exchange and were fine with the language in the attached version of the letter. I would like to send a version to Tinka Hyde that can go onto the R5 RA for sign-off. Is R3 okay with this language? I appreciate your time.

Best wishes,  
Heather

Heather A. Shoven  
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**From:** Kier, Lori  
**Sent:** Wednesday, January 28, 2015 11:01 AM  
**To:** Shoven, Heather; Johnson, KarenD; Capacasa, Jon  
**Cc:** Klassman, Debra

**Subject:** Re: Final Draft with R3 Edits -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Thanks!

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*Lori Kier*

Senior Assistant Regional Counsel  
US EPA Region III  
1650 Arch Street  
Philadelphia, PA 19103  
(215) 814-2656  
[kier.lori@epa.gov](mailto:kier.lori@epa.gov)

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**From:** Shoven, Heather  
**Sent:** Wednesday, January 28, 2015 11:57 AM  
**To:** Kier, Lori; Johnson, KarenD; Capacasa, Jon  
**Cc:** Klassman, Debra  
**Subject:** RE: Final Draft with R3 Edits -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Thanks Lori. Edits are made in the attached version.

Best wishes,  
Heather

Heather A. Shoven  
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**From:** Kier, Lori  
**Sent:** Wednesday, January 28, 2015 10:51 AM  
**To:** Shoven, Heather; Johnson, KarenD; Capacasa, Jon  
**Cc:** Klassman, Debra  
**Subject:** Re: Final Draft with R3 Edits -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

**Ex. 5 AC/AWP/DP**

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*Lori Kier*

Senior Assistant Regional Counsel  
US EPA Region III  
1650 Arch Street  
Philadelphia, PA 19103

(215) 814-2656  
[kier.lori@epa.gov](mailto:kier.lori@epa.gov)

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**From:** Shoven, Heather  
**Sent:** Wednesday, January 28, 2015 11:47 AM  
**To:** Kier, Lori; Johnson, KarenD; Capacasa, Jon  
**Subject:** Final Draft with R3 Edits -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Thanks Lori. I made your suggested revision and am attaching the latest version for R3 senior management.

Best wishes,  
Heather

Heather A. Shoven  
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**From:** Kier, Lori  
**Sent:** Wednesday, January 28, 2015 10:34 AM  
**To:** Johnson, KarenD; Capacasa, Jon; Shoven, Heather  
**Subject:** Re: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

# Ex. 5 AC/AWP/DP

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*Lori Kier*  
Senior Assistant Regional Counsel  
US EPA Region III  
1650 Arch Street  
Philadelphia, PA 19103  
(215) 814-2656  
[kier.lori@epa.gov](mailto:kier.lori@epa.gov)

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**From:** Johnson, KarenD  
**Sent:** Wednesday, January 28, 2015 11:29 AM  
**To:** Capacasa, Jon; Shoven, Heather  
**Cc:** Kier, Lori  
**Subject:** FW: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Jon-Do you think you can just let R5 know we're OK now.. ORC has added Lori as the legal point of contact...  
Thanks Heather! That is the correction we needed.

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**From:** Shoven, Heather  
**Sent:** Wednesday, January 28, 2015 11:21 AM

**To:** Johnson, KarenD

**Subject:** RE: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

## Ex. 5 Deliberative Process (DP)

Heather A. Shoven

Compliance and Enforcement Team Leader

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**From:** Johnson, KarenD

**Sent:** Wednesday, January 28, 2015 10:05 AM

**To:** Shoven, Heather

**Subject:** RE: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Heather- Looks good. In talking with Lori

Ex. 5 AC/AWP/DP

## Ex. 5 AC/AWP/DP

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**From:** Shoven, Heather

**Sent:** Wednesday, January 28, 2015 10:42 AM

**To:** Johnson, KarenD

**Subject:** RE: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Thanks Karen! How's this version?

Best wishes,

Heather

Heather A. Shoven

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**From:** Johnson, KarenD

**Sent:** Wednesday, January 28, 2015 9:35 AM

**To:** Shoven, Heather

**Subject:** RE: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Heather – Our contact for counsel is Lori Kier number is (215) 814 2656. I'm still checking on a middle initial for her, but nothing worth holding up the letter any longer. Thanks!!

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**From:** Shoven, Heather  
**Sent:** Wednesday, January 28, 2015 10:33 AM  
**To:** Donohue, Joyce  
**Cc:** Klassman, Debra; Poy, Thomas; Harris, Kimberly; Johnson, KarenD  
**Subject:** RE: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Thanks Joyce. I appreciate your quick and helpful review. I'll go forward with the language as is and am cc'ing management to let them know that OST has reviewed our draft response.

Thank you for all of your hard work on these issues!

Best wishes,  
Heather

Heather A. Shoven  
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**From:** Donohue, Joyce  
**Sent:** Wednesday, January 28, 2015 9:24 AM  
**To:** Shoven, Heather  
**Subject:** RE: Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

Dear Heather:

## Ex. 5 Deliberative Process (DP)

Joyce

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**From:** Shoven, Heather  
**Sent:** Tuesday, January 27, 2015 10:38 AM  
**To:** Doyle, Elizabeth; Donohue, Joyce  
**Cc:** Johnson, KarenD; Harris, Kimberly; Klassman, Debra; Damato, Nicholas; Poy, Thomas; Bair, Rita  
**Subject:** Request for OST Input -- Letter from attorney regarding PFOA health effects data and re-evaluating EPA's SDWA 1431 2009 Consent Order with DuPont

### EPA INTERNAL DELIBERATIVE

Hi Beth and Joyce,

I am forwarding you an inquiry sent to the R3 and R5 RAs from Robert A. Bilott, an attorney in Ohio, requesting that EPA consider new health effects data to evaluate the 0.40 parts per billion (ppb) site-specific action level for perfluorooctanoic acid (PFOA) in EPA's 2009 consent order with DuPont's Washington Works Facility in West Virginia.

Attached is a draft response for the Agency. Could you review and provide any edits?

Thank you for your time. Please contact me with any questions or concerns.

Best wishes,  
Heather

Heather A. Shoven  
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Phone: (312) 886-0153 / Email: [shoven.heather@epa.gov](mailto:shoven.heather@epa.gov)

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**From:** Bilott, Robert A. [<mailto:bilott@taftlaw.com>]  
**Sent:** Tuesday, January 20, 2015 3:32 PM  
**To:** Hedman, Susan; Garvin, Shawn; [Randy.C.Huffman@Wv.Gov](mailto:Randy.C.Huffman@Wv.Gov)  
**Cc:** Doyle, Elizabeth  
**Subject:** In the Matter of: E.I. du Pont de Nemours and Company (Docket Nos: SDWA-03-2009-0127 DS/ SDWA-05-2009-0001)

Document attached.

## Taft /

**Robert A. Bilott** / Partner  
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